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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,125	09/21/2000	Rob Tribble	NETS0044	1382
22862	7590	11/10/2003	EXAMINER	
GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			FRENEL, VANEL	
			ART UNIT	PAPER NUMBER
			3626	

DATE MAILED: 11/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/668,125

Applicant(s)

TRIBBLE, ROB

Examiner

Vanel Frenel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the Application filed on 09/21/00. Claims 1-21 are pending.

Claim Rejections - 35 USC § 112

2. Claims 1, 8 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(A) Claims 1, 8 and 15 recite "the intervention of a human being", "the preferences for a specific instance" and "the relationship". However, it is unclear as to what intervention, preferences and relationship Applicant's is referring to. As such, the various elements which constitute the claimed business objects are either obscure or lack proper description in the originally filed specification. Applicant's is requested to clarify this issue in the next correspondence.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fisk et al (5,790,847) in view of Chacker (6,578,008).

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(A) As per claim 1, Fisk discloses a process for evaluating business objects with no prior association and creating dynamic solution sets on said evaluation in a computer environment (Col.4, lines 9-67), comprising the steps of: providing a rule engine (Col.1, lines 40-67); wherein said rule engine evaluates said business objects without requiring the intervention of a human being (Col.2, lines 2-41); providing administration means for allowing a user to maintain the preferences for a specific instance of a business object (Col.4, lines 8-67).

Fisk does not explicitly disclose wherein said rule engine uses business rules to evaluate the relationship between said business objects; and wherein each business object is a voter that provides votes that are evaluated by said business rules.

However, these features are known in the art, as evidenced by Chacker. In particular, Chacker suggests wherein said rule engine uses business rules to evaluate the relationship between said business objects; and wherein each business object is a voter that provides votes that are evaluated by said business rules (See Chacker, Col.7, lines 1-67 to Col.8, line 30).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Chacker within the system of Fisk with the motivation of providing a web site over global computer networks (e.g., the Internet) by a support entity (e.g., an online record business, modeling business, story-scripting business etc.) (See Chacker, Col.5, lines 16-31).

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(B) As per claim 2, Fisk discloses the process claim further comprising the steps of: providing domain tables (Col.6, lines 51-67 to Col.7, line 67); wherein said tables are used to define the overall set of possible values for a given attribute of a business object (Col.6, lines 51-67 to Col.7, line 67); and wherein said tables are static, configured, or dynamic in nature (Col.8, lines 1-67).

(C) As per claim 3, Fisk discloses the process wherein said business rules are configurable, generalized statements of how common processing methods are applied to a specific intersection of data (Col.9, lines 21-67 to Col.10, line 8); and wherein said business rules determine privileges, application of business processes, business relationships, choices, and default values (Col.9, lines 30-67 to Col.10, line 25).

(D) As per claim 4, Chacker discloses the process further comprising the step of: providing rule administration means for allowing a user to define business rules attributes (Col.7, lines 8-51).

(E) As per claim 5, Chacker discloses the process further comprising the steps of: providing resolution strategy means for resolving conflicts between specific preferences of voters and determining the correct solution set (Col.9, lines 10-67); and wherein the sequence of voters and the order of the votes included for each voter determines the values in said solution set (Col.7, lines 8-67).

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(F) As per claim 6, Chacker discloses the process wherein said rule engine returns one solution set for the set of business objects (voters) being referenced (Col.1, lines 6-67).

(G) As per claim 7, Chacker discloses the process wherein said business rules are cached (Col.2, lines 40-67).

(H) As per claim 8, Fisk discloses an apparatus for evaluating business objects with no prior association and creating dynamic solution sets on said evaluation in a computer environment (Col.4, lines 9-67), comprising: a rule engine (Col.1, lines 40-67); wherein said rule engine evaluates said business objects without requiring the intervention of a human being (Col.2, lines 2-41); administration means for allowing a user to maintain the preferences for a specific instance of a business object (Col.4, lines 8-67). Fisk does not explicitly disclose wherein said rule engine uses business rules to evaluate the relationship between said business objects; and wherein each business object is a voter that provides votes that are evaluated by said business rules.

However, these features are known in the art, as evidenced by Chacker. In particular, Chacker suggests wherein said rule engine uses business rules to evaluate the relationship between said business objects; and wherein each business object is a voter that provides votes that are evaluated by said business rules (See Chacker, Col.7, lines 1-67 to Col.8, line 30).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Chacker within the system of Fisk with the motivation of providing a web site over global computer networks (e.g., the Internet) by a support entity (e.g., an online record business, modeling business, story-scripting business etc.) (See Chacker, Col.5, lines 16-31).

(I) Claim 15 differs from claims 1 and 8 by reciting a program storage medium readable by a computer, tangibly embodying a program of instructions executable by the computer.

As per this limitation, it is noted that Fisk discloses method steps for evaluating business objects with no prior association and creating dynamic solution sets on said evaluation in a computer environment (Col.4, lines 9-67), comprising the steps of: providing a rule engine (Col.1, lines 40-67); wherein said rule engine evaluates said business objects without requiring the intervention of a human being (Col.2, lines 2-41); providing administration means for allowing a user to maintain the preferences for a specific instance of a business object (Col.4, lines 8-67) and Chacker discloses wherein said rule engine uses business rules to evaluate the relationship between said business objects; and wherein each business object is a voter that provides votes that are evaluated by said business rules (See Chacker, Col.7, lines 1-67 to Col.8, line 30).

Therefore, it is readily apparent these prior art systems utilize a program storage medium readable by a computer, tangibly embodying a program of instructions executable by the computer to perform their specified function.

The remainder of claim 15 is rejected for the same reasons given above for claims 1 and 8, and incorporated herein.

(J) Claims 9-21 recite the underlying process steps of the elements of claims 2-7 respectively. As the various elements of claims 2-7 have been shown to be either disclosed by or obvious in view of the collective teachings of Fisk and Chacker, it is readily apparent that the apparatus disclosed by the applied prior art performs the recited underlying functions. As such, the limitations recited in claims 9-21 are rejected for the same reasons given above for apparatus claims 9-21, and incorporated herein.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not applied art teaches directory enabled policy management tool for intelligent traffic management (6,502,131) and system for customized electronic identification of desirable objects (6,029,195).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 703-305-4952. The examiner can normally be reached on 6:30am-5:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 703-305-9643. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

V.F
V.F

October 29, 2003


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600